

REMARKSStatus of the Application

Claims 1-16 are pending. Of the pending claims, claim 3 has been withdrawn from consideration. Claims 1, 2, 4-7 and 9-13 are rejected. Claim 8 is objected to. Claims 14-16 are allowed.

Election Restriction

Applicants, through their attorney, made a provisional election without traverse to prosecute the invention of group I, claims 1-2 and 4-16. Applicants affirm this election.

Drawings

Corrected drawings are being submitted under separate cover.

Section 102 Rejections

Claim 1 and its dependent claims 4, 7 and 13 have been rejected under 35 U.S.C. Section 102 as being anticipated by Fuhrman et al. U.S. Patent No. 5,450,703. Claim 1 has been amended to include the limitation that the reinforcing tubes are separate and insertable (capable of being inserted), which Fuhrman et al. does not teach. Applicants request cancellation of Claim 13.

Claim 1 and its dependent claims 4 and 11 have been rejected under 35 U.S.C. Section 102 as being anticipated by Japanese reference 11059733, the Showa patent. Claim 1 has been amended to require that the reinforcing tubes are substantially the same length as the corner post. Showa does not teach this limitation. In Showa, the "reinforcing tubes" 3 are much longer than the

"corner post" 2.

This dimensional difference between the reinforcing tubes of claimed invention and the secondary cushioning members 3 of Showa highlights a functional difference between the two. The reinforcing tubes of the present invention are designed to increase resistance to lateral and axial forces when inserted into a corner post (specification at paragraph 0001). In Showa, by contrast, the secondary cushioning members 3 are designed to extend from one corner post 2 to another in tinker-toy fashion to help form the cushioning assembly. In other words, the reinforcing tubes of the present invention are reinforcing members while the secondary cushioning members 3 in Showa are joining members.

Section 103 Rejections

The Examiner rejected claims 9 and 10 under 35 U.S.C. Section 103(a) as being unpatentable over Fuhrman et al. in view of Official Notice. Applicants submit that claims 9 and 10 are allowable for at least the same reasons as amended base claim 1 is allowable.

The Examiner rejected claims 2, 5, 6, 9, 10 and 12 under 35 U.S.C. Section 103(a) as being unpatentable over Showa in view of Official Notice. Applicants submit that claims 2, 5, 6, 9 and 10 are allowable for at least the same reasons as amended base claim 1 is allowable.

As to claim 12, applicants disagree that claim 12 is

unpatentable over Showa in view of Official Notice. While beads may be a well known means to reinforce tubular structures against crushing (and in fact are shown in Applicants' prior art Figure 1), it is not well known for a bead to help hold a reinforcing tube in place, as depicted in Figure 2.


Objected To Claims

Applicants note with appreciation the Examiner's statement that claim 8 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants have rewritten claim 8 accordingly and respectfully submit that it is now allowable.

Summary

It is believed that this paper constitutes a complete response to the Office Action mailed September 11, 2003, and an early and favorable action allowing claims 1-2, 4-12 and 14-16 is respectfully requested. The Examiner is invited to telephone Applicants' undersigned attorney if any unresolved matters remain.

Respectfully submitted,


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